

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA, <u>ex rel.</u> ,	:	
and	:	
William L. Fry	:	
1113 Garloch Drive	:	
Erie, PA 16505	:	CIVIL ACTION NO: 04-316E
	Plaintiffs	:
v.	:	
FIRST INVESTMENT COMPANY, et al.	:	Related documents: 32, 35 and unnumbered text Order of 10/27/2006
	Defendants	:

**CONSENTED TO MOTION FOR EXTENSION OF TIME
TO FILE A RESPONSE**

NOW COMES, Malcolm L. Pollard, Esquire, for William L. Fry as ex rel. Plaintiff, on behalf of the UNITED STATES OF AMERICA in the above named matter and offers this instant Motion for consideration by the Court.

1. Motions to Dismiss have been submitted by the Defendants at docket numbers 32 and 35 with joint supporting Briefs at docket numbers 37 and 39.
2. Unnumbered in the docket on 10/27/2006, with no document issued, the Court by "TEXT ORDER" has ordered the Plaintiff to file his response to the above mentioned Motions by 11/16/2006.

10/27/2006	TEXT ORDER 32 Motion to Dismiss, 35 Motion to Dismiss. Plaintiff's Response to Motion due by 11/16/2006. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. Signed by Judge Sean J. McLaughlin on 10/27/06. (nk) (Entered: 10/27/2006)
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3. Counsel for the Defendants contacted Counsel for the Plaintiff via telephone regarding possible settlement options.

4. During said telephone conversation Counsel for the Defendants consented to an extension of time for the Plaintiff to file his response to the Defendants' Motions to Dismiss.

Wherefore, the Plaintiff, William Fry as Relator for the United States of America, requests this Honorable Court to grant a thirty (30) day extension of time from the November 16, 2006, due date until December 16, 2006, for Plaintiff to file his response to Defendants' Motions to Dismiss. A suggested Order is attached for the benefit of The Court.

Date: November 13, 2006

Respectfully submitted:

/S/ Malcolm L. Pollard
Malcolm L. Pollard, Esquire
Pa. Supreme Court Number 34906
4845 Westlake Road #119
Erie, PA 16505
Telephone: 814-838-8258
Telecopier: 814-838-8452